



An  
Bord  
Pleanála

## Board Order PL 16.248787

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### Planning and Development Acts 2000 to 2017

**Planning Authority: Mayo County Council**

**Planning Register Reference Number: P17/151**

**Appeal** by Nancy Flynn care of Watch Tower Designs/David Keane and Associates of Mount Street, Claremorris, County Mayo against the decision made on the 2<sup>nd</sup> day of June, 2017 by Mayo County Council to grant subject to conditions a permission to Patrick and Anna Fadden care of Taylor Architects of Breaffy Road, Castlebar, County Mayo in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Demolition of existing two-storey shop unit, the construction of a new two-storey shop on a smaller footprint, the construction of a new pedestrian laneway and link bridge to the adjoining site covered under planning reference numbers P16/132 and P16/133. The development will also include for site development works, signage and all connections to local services all at Linenhall Street, Castlebar, County Mayo.

### Decision

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

Having regard to the town centre zoning objective for the site, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would generally be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the plans and particulars submitted to the planning authority on 30<sup>th</sup> day of May 2017, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Prior to commencement of development, the applicant shall submit the following for the written agreement of the planning authority:
  - (a) Details of all signage and shopfronts.
  - (b) Details of first floor window fenestration.
  - (c) Details of all external finishes to the proposed building.
  - (d) Details of the final bridge and lane design including finished ground levels, paving specification, street lighting, bridge furniture and decking specification on the bridge.

**Reason:** In the interest of visual amenity and to ensure a proper standard of development.

3. Prior to the commencement of development, the applicant shall submit to the planning authority for written agreement a detailed construction method statement ensuring the integrity and structural stability of all adjoining properties. This method statement shall include adequate structural surveys and assessments to be undertaken prior to any work being carried out on site and shall be undertaken by a competent and suitably qualified structural engineer.

**Reason:** In the interest of the proper planning and sustainable development of the area.

4. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interest of sustainable waste management.

5. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:-
  - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
  - (b) employ a suitably-qualified archaeologist prior to commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:-

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report containing the results of the assessment shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to the commencement of construction works.

**Reason:** In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
  - (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
  - (b) Details of site security fencing and hoardings;
  - (c) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
  - (d) Measures to obviate queuing of construction traffic on the adjoining road network;
  - (e) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;

- (f) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (g) Provision of parking for existing properties during the construction period;
- (h) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (i) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (j) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (k) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

**Reason:** In the interests of amenities, public health and safety.

